

February 16, 1967

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: ZONING REFERRALS

I. ZONING COMMISSION

Re: Map Amendment Application No. 42
Childrens' Hospital
340 Longwood Ave., Boston

Childrens' Hospital, in accord with Urban Renewal Plan, approved by the Mayor and City Council, is constructing housing complex, consisting of apartment tower for nurses, a dormitory for single resident doctors and interns, a motel for patients and their parents and a restaurant to serve the above, along with some commercial facilities, including a branch bank, a book store and two or three other retail stores. Adjacent to this housing and commercial complex is the site for a proposed research laboratory tower which not only would exceed the F.A.R. of 3 in the present H-3 zone but is also a forbidden use in that zone. Thus, a B-4 (General Business, Floor Area Ratio of 4) zone is necessary to accommodate desired construction in this medical center. Recommend approval.

VOTED: That in connection with Map Amendment Application No. 42, by Childrens' Hospital Trustees, seeking a change in the Fenway Urban Renewal Project Area to establish a B-4 (General Business, Floor Area Ratio of 4) zone, on land fronting on Longwood Avenue between Brookline Avenue and Blackfan Street, now zoned as H-3 (Apartments, Floor Area Ratio of 3), the Boston Redevelopment Authority recommends the change, having already approved the plan, along with the Mayor and City Council. The change is necessary in order that its desired construction, consisting of a research laboratory tower and some commercial facilities conform with the Zoning Plan.

II. BOARD OF APPEAL REFERRALS

Re: Petition No. Z-733
Anthony Monaco
104 West Fourth St., South Boston

A rear yard deficiency variance is sought to erect a one-story metal garage in a light manufacturing (M-1) district. The structure will be used for storage. Only two feet of a 20 foot requirement is furnished. It appears the appellant can supply at least 14 feet of the rear yard without infringing on front yard requirement. At any rate, has plenty of room on the lot to conform. Recommend denial. Optional case.

VOTED: That in connection with Petition No. Z-733, brought by Anthony Monaco, 104 West Fourth Street, South Boston, for a variance of rear yard less than required to erect a one-story metal garage in a light manufacturing district, the Boston Redevelopment Authority is opposed to the granting of the variance as submitted. Appellant has plenty of room on the lot to conform and there is no hardship.

Re: Petition No. Z-734
I Meshaka
5318-5320 Washington St., W. Roxbury

Appellant proposes to buy, sell and exchange 30 second-hand cars, a forbidden use, in a local business (L-.5) district. Variances of front yard and traffic visibility across corner less than required are also requested. The petitioner presently has a used car business on the adjoining lot. The Board of Appeal dismissed a similar request at 5336 Washington Street in June 1966. A single family (S-.5) district immediately abuts behind the proposed use which is only conditional even in a General Business area. It appears this is an addition to the existing business and would not be compatible with the neighborhood. Transportation-Engineering Department cannot approve as the corner traffic visibility requirement would be violated. Denial is recommended. Optional case

VOTED: That in connection with Petition No. Z-734 brought by I. Meshaka, 5318-5320 Washington Street, West Roxbury, for a forbidden use and two variances to buy, sell and exchange 30 second hand vehicles in a local business district, the Boston Redevelopment Authority is opposed to the granting of the variances,

the additional use, which is conditional even in a General Business district, is incompatible with the general single family neighborhood. Any impairment of traffic visibility on this main thoroughfare would be hazardous to the public welfare.

Re: Petition No. Z-735
Frank Collins
196-200 Heath Street, Roxbury

A one-story and basement retail store building would be erected in a Local Business (L-.5) and a Residential (R-.8) district. Variances of off-street parking less than required, parking in front yard and excessive floor area ratio are requested. Appellant states the new use would be occupied by businesses displaced by the proposed Southwest Expressway. The locus lies within the confines of the newly created code enforcement area. The Floor Area Ratio violation is minimal. Transportation-Engineering Department has no objection. Approval is recommended.

VOTED: That in connection with Petition No. Z-735, brought by Frank Collins, 196-200 Heath Street, Roxbury, for three variances to erect a one-story and basement retail store building in a Local Business and adjacent General Residence district, the Boston Redevelopment Authority has no objection to the granting of the variances. The use, located within the newly created code enforcement area, will be occupied by businesses displaced by the Southwest Expressway, and it appears that for a business location, the variances are necessary to accomplish a reasonable use of the land.

Re: Petition No. Z-736
Estate of Mrs. Dudley Pickman
303 Commonwealth Ave., Boston

A forbidden use and off-street parking variance are sought to change occupancy from one-family to one-family and funeral home in an apartment (H-5) district. The Back Bay Project Director states the use would not conform with the objectives of the Back Bay Plan which is to strengthen the residence qualities and characteristics of the area. Transportation-Engineering Department is opposed as the use would aggravate peak hour traffic. Denial is recommended.

VOTED: That in connection with Petition No. Z-736, brought by the Estate of Mrs. Dudley Pickman, 303 Commonwealth Avenue, Boston, for a forbidden use and off-street parking variance to change occupancy from one-family to one-family and funeral home in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variances. The Avenue is already carrying a considerable amount of through traffic on a right-of-way intended for residential access and leisurely promenades. A funeral home would have a particularly bad effect on moving peak hour traffic where adequate off-street and curb parking cannot be provided and furthermore, this business use is definitely incompatible in a prime residential district.

Re: Petition No. Z-737
Francis A. Kuzia
11 Valencia Road, Hyde Park

Two yard variances are requested to erect a one-story enclosed porch in a single family (S-.5) district. This is just a case of new replacing old. The yard violations are existing and minimal. Approval is recommended.
Optional case

VOTED: That in connection with Petition No. Z-737, brought by Francis A. Kuzia, 11 Valencia Road, Hyde Park, for two yard variances to erect a one-story addition in a single family district, the Boston Redevelopment Authority is not opposed to the granting of the variances. The violations are existing, minimal, and will not be affected by the replacement of the old for the new enclosed porch.

Re: Petition No. Z-738
Newhall Apartments, Inc.
305 Harvard Street, Dorchester

Appellant requests three dimensional variances to erect a 13-story, 96 unit apartment building in an apartment (H-1) district. The locus is a short distance from the intersection of Talbot and Blue Hill Avenues. The lot of 61,041 square feet can support 57 units, a deficit of 39 units; 20,000 square feet of open space is lacking; the Floor Area Ratio is almost double the requirement. The proposed density is too severe for this area. No evidence of hardship or practical difficulty has been submitted to justify the variances. A reduction in units compatible to the area could be supported but denial is recommended as submitted.
Optional case

VOTED: That in connection with Petition No. Z-738 brought by Newhall Apartments, Inc., 305 Harvard Street, Dorchester, for three dimensional variances to erect a 13-story, 96 unit apartment building in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the petition as submitted. The density violation is much too severe on a lot which, as presently zoned, can support no more than 57 units. The Floor Area Ratio is almost doubled and there is a deficiency of 20,000 square feet of open space. A reduction in units compatible to the general area could be supported. The appellant has not presented any evidence of hardship or practical difficulty to support his request

Re: Petitions No. Z-739 & Z-740
Principe Associates
735-739 Truman Highway, Hyde Park

Dimensional variances are requested to sub-divide lot in a single family (S-.5) district. Perusal of the submitted plan indicates the appellant has more than ample land to supply the requirements of the code. He has not presented any reasons for the sub-division. Recommend denial.

Optional case

VOTED: That in connection with Petitions No. Z-739 and Z-740, brought by Principe Associates, 735-739 Truman Highway, Hyde Park, for dimensional variances to sub-divide lot in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variances. Appellant's plan indicates the requirements of the code can be supplied. There are no justifiable reasons for the granting of the variances and no hardship is involved.

Re: Petitions No. Z-741 thru Z-744
Marco Realty Trust
38, 40, 42, 46 Orkney Rd., Brighton

To change occupancy from six to eight apartments in an apartment (H-1) district. Three dimensional variances and off-street parking less than required are requested. The petitioner reasons that if granted the change, the accumulated junk and storage bins would be removed from the basement

where the two additional apartments are to be located. Transportation-Engineering Department is opposed. The area is already heavily congested with no parking relief in sight, and should not be worsened. No hardship is involved. Recommend denial. Optional case

VOTED: That in connection with Petitions No. Z-741 through Z-744, brought by Marco Realty Trust, 38, 40, 42, 46 Orkney Road, Brighton, for dimensional variances and off-street parking less than required to change occupancy from six to eight apartments in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variances. The petitioner has not shown any substantial hardship or practical difficulty. The area is already heavily congested with curb parking with no relief in sight.

Re: Petition No. Z-745
McKeon Amvets Post
4 Hilltop Street, Dorchester

A conditional use, excessive floor area ratio, rear yard and off-street parking less than required are sought to erect a one-story and basement addition to an existing two-story structure in a residential (R-.5) district. Floor Area Ratio is 40% excessive and the rear yard deficiency is 30 feet. Transportation-Engineering Department is opposed. No parking is provided for what appears a substantial membership.

VOTED: That in connection with Petition No. Z-745, brought by McKeon Amvets Post, 4 Hilltop Street, Dorchester, for a conditional use and three variances to erect a one-story and basement addition in a residential district, the Boston Redevelopment Authority is opposed to the granting of the petition. Main objection is that no provisions have been made for parking in what appears to be a large operation.

Re: Petition No. Z-747
Corcoran Realty
735 Adams Street, Dorchester

Three variances are requested to extend the length of a three-story, 48 unit apartment building by two feet, in a Residential (R-.5) and Local Business (L-1) district. Appellant also proposes to change egress design

and use plate glass in lieu of wire glass. The Authority opposed the initial petition to erect this structure in May, 1966, however the Board of Appeal approved. The request is a further violation of the intent and purpose of the zoning ordinance and denial is recommended.

VOTED: That in connection with Petition No. Z-747, brought by Corcoran Realty, 735 Adams Street, Dorchester, for three variances to extend the length of a three-story, 48 unit apartment building in a residential (R-.5) and Local Business district, the Boston Redevelopment Authority is opposed to the granting of the variances which are further violations to flagrant violations granted in May 1966, and which the Authority then opposed.

Re: Petition No. Z-748
Elihu T. Woodard
54 Dale Street, Roxbury

A change of occupancy from two to three families requires variances of lot area and additional dwelling unit and off-street parking less than required in a residential (R-.8) district. The Washington Park Urban Renewal staff and Transportation-Engineering Department are both opposed to the proposed change. Recommend denial. Optional case

VOTED: That in connection with Petition No. Z-748 brought by Elihu T. Woodard, 54 Dale Street, Roxbury, for two dimensional variances to change occupancy from two to three families in a residential district, the Boston Redevelopment Authority is opposed to the granting of the variances. The proposed use is not in accord with the Washington Park Urban Renewal Plan. The lot is presently sub-standard for use as a two-family house and should not be increased by addition of another dwelling unit.

Re: Petition No. Z-749
Corinth Realty Trust
90 Washington Street, Dorchester

Extension of a non-conforming use and a forbidden use are requested to erect a 41 x 138 addition to a supermarket in an apartment (H-2) district. The use is surrounded by Geneva Avenue, Columbia Road and Wilder Street.

Stop & Shop, Inc., is sole owner and operator. This is a case of normal expansion and approval is recommended.

VOTED: That in connection with Petition No. Z-749, brought by Corinth Realty Trust, 90 Washington Street, Dorchester, for an extension of a non-conforming use and a forbidden use to erect an addition to a supermarket in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variance. The extension will not be any more objectionable or detrimental to the neighborhood and should provide more facilities to better serve the community.

Re: Petition No. Z-746
Steve Zara
99 St. Botolph Street and
255 West Newton Street, Boston

An extension of a non-conforming use is sought to change occupancy from a restaurant and four apartments to a restaurant, in an apartment (H-2) district. The extension of existing non-conforming uses is not considered appropriate for this area which is proposed for residential rehabilitation. Denial is recommended.

VOTED: That in connection with Petition No. Z-746 brought by Steve Zara, 99 St. Botolph & 255 West Newton Streets, Boston, for an extension of a non-conforming use to change occupancy from a restaurant and four apartments to a restaurant, in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variance. The area is proposed for residential rehabilitation. Extension of non-conforming, commercial uses is not appropriate for this area but such uses are appropriate a short block away along Huntington Avenue or Massachusetts Avenue, as recommended by the Land Use Plan of the Fenway Urban Renewal Area.